



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

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Salt Lake City, UT 84116-3156
801-538-7240
801-538-7467 (Fax)

May 18, 1995

Mr. Jimmy Sherwood
P. O. Box 592
Milford, Ut 84752

Re: Order to Cease Use of Water
Milford Area Distribution System

Dear Mr. Sherwood:

Further progress has been made with respect to the measurement of well flows in Milford Valley. As a Division we share the concerns of the Milford Valley well pumpers regarding the decreasing well levels in the valley. Once accurate information is obtained then a proper management program can be put into effect for managing the water resources. In the effort to monitor total withdrawal of ground water, cooperation of each well user is imperative to obtain this information.

An inspection of all irrigation wells in the valley was performed by Division of Water Rights personnel and the water commissioner on April 10, 11, 12, 1995. It was found that you have one well (# 124) at S. 1420 Ft., W. 1080 Ft., NE corner, Sec. 2, T 29 S, R 11 W, SLB&M., that was found to have defective or no water meter(s) (diesel hour meter readings are not allowed).

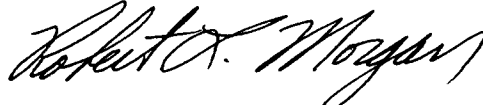
Therefore, by authority of Section 73-5-4 of the Utah Code Annotated, 1953 as amended, **you are hereby ORDERED to cease the use of water** at the well or wells described above until such time as an accurate and functional water meter(s) is installed. Compliance with this order will be determined by field inspection by June 15, 1995. Those water users whose wells are not in compliance with this Order will be reported to the Attorney General's Office and legal proceedings will immediately be initiated to enforce this order.

This Order is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, as amended, which provide for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite for a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the request is filed.



If you have any questions concerning this Order, please contact Lee H. Sim, Assistant State Engineer at 538-7380 or Kerry Carpenter, Cedar City Regional Engineer at 586-4231.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Morgan". The signature is fluid and cursive, with a large, stylized "M" at the end.

Robert L. Morgan, P.E.
State Engineer

RLM:LHS:JSL:cj

cc: Lee H. Sim
Kerry Carpenter
James Mayer
Larry Maycock
John H. Mabey Jr.